

ESTTA Tracking number: **ESTTA870270**Filing date: **01/10/2018**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**Petition for Cancellation**

Notice is hereby given that the following party has filed a petition to cancel the registration indicated below.

**Petitioner Information**

Name	Minnesota Vikings Football, LLC		
Entity	limited liability company	Citizenship	Delaware
Address	9520 Viking Drive Eden Prairie, MN 55344 UNITED STATES		

Attorney information	Laura J. Borst Norton Rose Fulbright US LLP 98 San Jacinto Boulevard, Suite 1100 Austin, TX 78701-4255 UNITED STATES Email: laura.borst@nortonrosefulbright.com, chris.weimer@nortonrosefulbright.com, jen.rezac@nortonrosefulbright.com, joy.wang@nortonrosefulbright.com, aoipdocket@nortonrosefulbright.com
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**Registration Subject to Cancellation**

Registration No.	4890945	Registration date	01/26/2016
International Registration No.	NONE	International Registration Date	NONE
Registrant	Autonomous Non-Profit Organization for Higher Education Å«Skolkovo Institute of Science and TechnologyÅ» Novaya St, 100, Skolkovo Village Odintsovskiy District RU-143025 Moscow RUSSIAN FED.		

**Goods/Services Subject to Cancellation**

Class 025. First Use: 0 First Use In Commerce: 0

All goods and services in the class are subject to cancellation, namely: Bandanas, neckerchiefs; jackets; clothing, namely, shirts; sweaters; headwear; t-shirts

**Grounds for Cancellation**

Abandonment	Trademark Act Section 14(3)
Other	Registrant did not have a bona fide intent to use the mark in connection with the identified goods as of the filing date of the application

Attachments	Petition for Cancellation.pdf(223230 bytes )
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Signature	/Shuangqi Wang/
Name	Shuangqi Wang
Date	01/10/2018

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the matter of Registration No. 4,890,945  
For the mark SKOLTECH & Design  
Registered on January 26, 2016

**Skoltech**

Minnesota Vikings Football, LLC,	§
	§
Petitioner,	§
v.	§
	§
Autonomous Non-Profit Organization for	§
Higher Education Skolkovo Institute of	§
Science and Technology,	§
Registrant.	

**PETITION FOR CANCELLATION**

Minnesota Vikings Football, LLC, (“Petitioner”), a Delaware limited liability company having a business address of 9520 Viking Drive, Eden Prairie, Minnesota United States 55344, believes that it will be damaged by the continued existence of Registration No. 4,890,945 for SKOLTECH & Design (“Registration”) in the name of Autonomous Non-Profit Organization for Higher Education Skolkovo Institute of Science and Technology (“Registrant” or “Skolkovo”). Petitioner hereby petitions to cancel the Registration under the provisions of Section 14 of the Lanham Act, 15 U.S.C. §§ 1064,1127.

As grounds for cancellation, Petitioner alleges the following:

1. Petitioner is the owner of, among others, Application Serial No. 87/041,667 for the mark SKOL in connection with “[m]en’s, women’s and children’s clothing, namely, fleece tops and bottoms, caps, visors, headwear, t-shirts, sweatshirts, sweatpants, shorts, tank tops, sweaters, pants, jackets, turtlenecks, golf shirts, woven shirts, knit shirts, jerseys, wristbands, warm up suits, swimwear, bathing suits, wind resistant jackets, raincoats, parkas, ponchos,

gloves, ties, suspenders, belts, cloth baby bibs, sleepwear, namely, robes, night shirts and pajamas, mittens, knit hats and caps, knit face masks, scarves, aprons, headbands, ear muffs, underwear, socks, shoes, athletic shoes, boots, sneakers and slippers; novelty headwear with attached wigs; cheerleading dresses and uniforms” in International Class 25, filed on May 18, 2016, and currently pending in the USPTO.

2. The USPTO has refused registration of Petitioner’s application under Trademark Act Section 2(d), 15 U.S.C. §1052(d), citing the Registration for the SKOLTECH & Design mark as an obstacle to Petitioner’s application.

3. Due to the refusal of Petitioner’s application for the SKOL mark, Petitioner has been and will continue to be damaged by the continued registration of the SKOLTECH & Design mark and the continued existence of the Registration.

4. The records of the U.S. Patent and Trademark Office (“USPTO”) indicate the goods identified in the Registration are “Bandanas, neckerchiefs; jackets; clothing, namely, shirts; sweaters; headwear; t-shirts” under International Class 25. A true and correct copy of a print-out from the Trademark Status & Document Retrieval system relating to Registration No. 4,890,945 is attached hereto as Exhibit A.

5. Petitioner has made a diligent search for Registrant’s use of the challenged Registration on the subject goods and has been unable to locate any evidence of current use of the SKOLTECH & Design mark by Registrant in commerce.

6. On information and belief, Registrant has never used the Registration or the SKOLTECH & Design mark that is the subject of the Registration in connection with any of the goods identified in the Registration (i.e., “Bandanas, neckerchiefs; jackets; clothing, namely, shirts; sweaters; headwear; t-shirts”).

7. In the alternative, if Registrant has used the SKOLTECH & Design mark in commerce in connection with some or all of the goods identified in the Registration, it has since discontinued such use and has no intention to resume such use of the mark.

8. On information and belief, Registrant has no demonstrable intention to use the SKOLTECH & Design mark in connection with any and all of the goods identified in the Registration.

9. On information and belief, Registrant lacked a bona fide intent to use the SKOLTECH & Design mark in commerce at the time it filed the application that matured into Registration No. 4,890,945.

10. Accordingly, Petitioner claims Registrant lacks a bona fide intent to use the SKOLTECH & Design mark in violation of 37 C.F.R. §2.33(e)(1), and Registration No. 4,890,945 should be cancelled pursuant to 15 U.S.C. § 1064.

11. On information and belief, Registrant has abandoned its rights to the SKOLTECH & Design mark subsequent to the issuance of the registration.

12. Accordingly, Petitioner claims that Registrant has abandoned Registrant's Mark under 15 U.S.C. § 1127, and Registration No. 4,890,945 should be cancelled pursuant to 15 U.S.C. § 1064.

13. Through the continued existence of the Registration, Registrant is enjoying statutory presumptions to which it is not entitled. Petitioner has and will continue to be damaged by the continued registration of the SKOLTECH & Design mark and the continued existence of the Registration.

14. Petitioner is not in any way connected with Registrant or any goods or services offered by Registrant in connection with the SKOLTECH & Design mark.

Petitioner reserves the right to amend this Petition to allege other claims in the event discovery of other information indicates they are appropriate.

WHEREFORE, Petitioner prays that Registration No. 4,890,945 be cancelled in its entirety and that the Petition to Cancel be sustained. The filing fee in the amount of \$400.00 required by 37 C.F.R. § 2.6(a)(16) is being paid with this Petition for Cancellation. The Commissioner of Trademarks is authorized to draw on the deposit account of Norton Rose Fulbright US LLP, Account No. 50-1212/1001012171 in the event that anything prevents the successful completion of electronic payment of the filing fee.

Dated: January 10, 2018

Respectfully Submitted,

/Laura J. Borst/

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Christopher M. Weimer  
Shuangqi Wang

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ATTORNEYS FOR PETITIONER  
MINNESOTA VIKINGS FOOTBALL, LLC.

# **EXHIBIT A**

TSDR now includes a Post Registration Maintenance Tab. When viewing a Registered mark, users will now find a new 3rd tab providing Post Registration information next to the "Status" and "Document" tabs, below the search text box. The tab will not appear if the mark is not registered.

**STATUS**   **DOCUMENTS**   **MAINTENANCE**

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**Generated on:** This page was generated by TSDR on 2018-01-10 17:06:42 EST

**Mark:** SKOLTECH

**Skoltech**

**US Serial Number:** 79163774

**Application Filing Date:** Nov. 14, 2014

**US Registration Number:** 4890945

**Registration Date:** Jan. 26, 2016

**Register:** Principal

**Mark Type:** Trademark

**TM5 Common Status**

LIVE/REGISTRATION/Issued and Active

**Descriptor:**



The trademark application has been registered with the Office.

**Status:** Registered. The registration date is used to determine when post-registration maintenance documents are due.

**Status Date:** Jan. 26, 2016

**Publication Date:** Nov. 10, 2015

## Mark Information

**Mark Literal Elements:** SKOLTECH

**Standard Character Claim:** No

**Mark Drawing Type:** 5 - AN ILLUSTRATION DRAWING WITH WORD(S) /LETTER(S)/ NUMBER(S) INSTYLIZED FORM

**Description of Mark:** The mark consists of the stylized wording "SKOLTECH", with "SKOL" in the color black, and "TECH" in the color green.

**Color Drawing:** Yes

**Color(s) Claimed:** The color(s) black and green is/are claimed as a feature of the mark.

## Related Properties Information

**International Registration** [1243690](#)

**Number:**

**International Registration** Nov. 14, 2014

**Date:**

## Goods and Services

### Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((.)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks \*..\* identify additional (new) wording in the goods/services.

**For:** Bandanas, neckerchiefs; jackets; clothing, namely, shirts; sweaters; headwear; t-shirts

**International Class(es):** 025 - Primary Class

**U.S Class(es):** 022, 039

**Class Status:** ACTIVE

**Basis:** 66(a)

## Basis Information (Case Level)



Filed Use: No

Currently Use: No

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: Yes

Currently 66A: Yes

Filed No Basis: No

Currently No Basis: No

### Current Owner(s) Information

**Owner Name:** Autonomous Non-Profit Organization for Higher Education «Skolkovo Institute of Science and Technology»

**Owner Address:** Novaya St, 100, Skolkovo Village  
Odintsovskiy District  
RU-143025 Moscow RUSSIAN FEDERATION

**Legal Entity Type:** AUTONOMOUS NON-PROFIT ORGANIZATION

**State or Country Where Organized:** RUSSIAN FEDERATION

### Attorney/Correspondence Information

**Attorney of Record - None**

**Correspondent**

**Correspondent Name/Address:** AUTONOMOUS NON-PROFIT ORGANIZATION FOR  
HIGHER EDUCATION «SKOLKOVO INSTITUTE OF  
NOVAYA ST, 100, SKOLKOVO VILLAGE  
ODINTSOVSKIY DISTRICT  
RU-143025 MOSCOW REGION RUSSIAN FEDERATION

**Domestic Representative - Not Found**

### Prosecution History

Date	Description	Proceeding Number
Aug. 26, 2016	FINAL DECISION TRANSACTION PROCESSED BY IB	
Apr. 27, 2016	GENERIC MADRID TRANSACTION SENT TO IB	
Apr. 27, 2016	GENERIC MADRID TRANSACTION CREATED	68359
Apr. 26, 2016	FINAL DISPOSITION NOTICE CREATED, TO BE SENT TO IB	
Jan. 26, 2016	REGISTERED-PRINCIPAL REGISTER	
Nov. 20, 2015	NOTIFICATION PROCESSED BY IB	
Nov. 10, 2015	PUBLISHED FOR OPPOSITION	
Nov. 04, 2015	NOTIFICATION OF POSSIBLE OPPOSITION SENT TO IB	
Nov. 04, 2015	NOTICE OF START OF OPPOSITION PERIOD CREATED, TO BE SENT TO IB	
Oct. 21, 2015	NOTICE OF PUBLICATION	
Oct. 07, 2015	LAW OFFICE PUBLICATION REVIEW COMPLETED	68552
Oct. 05, 2015	ASSIGNED TO LIE	68552
Sep. 08, 2015	APPROVED FOR PUB - PRINCIPAL REGISTER	
Aug. 24, 2015	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Aug. 24, 2015	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Aug. 24, 2015	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Aug. 24, 2015	TEAS RESPONSE TO OFFICE ACTION RECEIVED	

May 22, 2015	REFUSAL PROCESSED BY IB	
May 06, 2015	NON-FINAL ACTION MAILED - REFUSAL SENT TO IB	
May 06, 2015	REFUSAL PROCESSED BY MPU	76826
May 05, 2015	NON-FINAL ACTION (IB REFUSAL) PREPARED FOR REVIEW	
May 04, 2015	NON-FINAL ACTION WRITTEN	81855
May 01, 2015	APPLICATION FILING RECEIPT MAILED	
Apr. 27, 2015	ASSIGNED TO EXAMINER	81855
Apr. 27, 2015	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Apr. 24, 2015	LIMITATION FROM ORIGINAL APPLICATION ENTERED	67445
Apr. 23, 2015	SN ASSIGNED FOR SECT 66A APPL FROM IB	

### International Registration Information (Section 66a)

**International Registration Number:** 1243690

**Priority Claimed Flag:** Yes

**Intl. Registration Status:** REQUEST FOR EXTENSION OF PROTECTION PROCESSED

**Notification of Designation Date:** Apr. 23, 2015

**International Registration Renewal Date:** Nov. 14, 2024

**First Refusal Flag:** Yes

**International Registration Date:** Nov. 14, 2014

**Date of Section 67 Priority Claim:** May 27, 2014

**Date of International Registration Status:** Apr. 23, 2015

**Date of Automatic Protection:** Oct. 23, 2016

### TM Staff and Location Information

**TM Staff Information - None**

**File Location**

**Current Location:** PUBLICATION AND ISSUE SECTION

**Date in Location:** Jan. 26, 2016

**Assignment Abstract Of Title Information - Click to Load**

**Proceedings - Click to Load**